

REMARKS

Claims 15-17, 19-24 and 33-36 are pending in this application. Claim 15 is an independent claim.

By this Amendment, independent claim 15 is amended for clarity and to recite additional features disclosed in the specification at, for example, Figs. 3 and 4A-4G. Claims 16, 19, 22, 34 and 35 are amended for form. Claim 36 is added to recite a feature deleted from claim 16. No new matter is added. Reconsideration of the application is respectfully requested.

The courtesies extended to Applicants' representative by Examiner Matthews at the telephone interview held August 25, 2011 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' separate record of the substance of the interview.

I. §112, Second Paragraph Rejection

The Office Action rejects claims 15-17, 19-24, and 33-35 under 35 U.S.C. §112, second paragraph. Claims 15, 16, 19, 22, 34 and 35 are amended responsive to this rejection. As discussed during the telephone interview, these amendments to the claims overcome the rejection under 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

II. §103(a) Rejection Over Paul and Hoya

The Office Action rejects claims 15-17, 19-24 and 33-35 under 35 U.S.C. §103(a) over U.S. Patent No. 6,468,306 to Paul et al. in view of JP 09-276303 to Hoya. This rejection is respectfully traversed.

As agreed during the telephone interview, Paul and Hoya do not disclose or render obvious the subject matter recited in claim 15, as amended.

In particular, the asserted rounded smooth transition 264 in Fig. 19 of Paul is only a part of the edge of the optic portion and is not at the joint position between the support portion and the optic portion. Fig. 19 of Paul does not show how the support portion is joined or connected to the optic portion.

On the other hand, Fig. 14A of Paul shows a support portion 204 connected to the optic portion 202. As clearly shown in Fig. 14A, there is a step at the joint position of the support portion and the optic portion. Although the optic portion also includes seemingly "rounded smooth transition" portions on its periphery, such rounded smooth transition portions are not at the joint position where the support portion is connected to the optic portion. The portion at the joint position is not a "rounded smooth transition" portion.

For at least the above reasons, claim 15 is patentable. Claims 16, 17, 19-24 and 33-36 are also patentable at least in view of the patentability of claim 15, from which they depend, as well as for additional features they recite. Accordingly, withdrawal of the rejection over Paul in view of Hoya is respectfully requested.

III. §103(a) Rejection Over Lamielle and Hoya

The Office Action rejects claims 15-17, 19-24 and 33-35 under 35 U.S.C. §103(a) over U.S. Patent No. 6,200,344 to Lamielle et al. in view of Hoya. This rejection is respectfully traversed.

As agreed during the telephone interview, the above-outlined amendments to the claims overcome the rejection over Lamielle in view of Hoya.

In particular, claim 15, as amended, recites "each of the arm-shaped members being an elongated member having a first end and a second end, each first end being connected at a respective joint position to the periphery of the optic portion, the elongated member of each of the arm-shaped members extending away from the optic portion along a curved path with the respective second end being a free end." On the other hand, the haptic elements 38 in

Fig. 2 of Lamielle are loop shaped as shown in Fig. 2. Thus, Lamielle does not disclose the above-quoted feature recited in claim 15, as amended.

Also, the combination of the features recited in claim 15 yields unexpected results, as demonstrated in the cell culture tests described in the specification at, for example, Figs. 8-10 and page 16, line 26 - page 18, line 23. The applied references do not recognize the criticality of the combination of features recited in claim 15.

For at least the above reasons, claim 15 is patentable. Claims 16, 17, 19-24 and 33-36 are also patentable at least in view of the patentability of claim 15, from which they depend, as well as for additional features they recite. Accordingly, withdrawal of the rejection of claims 15-17, 19-24, and 33-36 under 35 U.S.C. §103(a) is respectfully requested.

IV. Other References Discussed During The Telephone Interview

During the telephone interview, Examiner Matthews discussed with Applicants' representative references not of record, including U.S. Patent Nos. 6,391,506 and 4,536,897 and U.S. Patent Application Publication No. 2005/096741. As discussed during the telephone interview, one of ordinary skill would not have had a reasonable rationale to combine the teachings of these additional references, if applied, with the teachings of Lamielle. In addition, even if combined, these references, together with Lamielle, would not have disclosed or rendered obvious the subject matter recited in the claims.

For example, U.S. Patent No. 6,391,506 and U.S. Patent Application Publication No. 2005/096741 disclose methods and shapes of haptics to fix haptics of accommodation IOL to a rim of capsular bag of eye. The accommodation IOL can carry out sight adjustment by that an intraocular lens anteroposteriorly moves synchronizing with expansion and contraction of ciliary muscle. U.S. Patent No. 4,536,897 discloses an edge structure of an optical part to facilitate positioning, when positioning an intraocular lens inserted in an eye within the eye using a hook, etc.

In view of the above, the technical problems these three references attempt to address are different from that addressed in the present application. In particular, these three references are not directed to inhibition of after-cataract, a problem addressed in the present application. These references do not suggest the shape or function for the inhibition of after-cataract. Thus, these references, even if combined with Lamielle, would not have disclosed or rendered obvious the subject matter recited in the claims.

Furthermore, without recognizing the unexpected result associated with the subject matter recited in claim 15, as discussed above, and without the benefit of the disclosure of the present application, one of ordinary skill would not have had a reasonable rationale to combine the teachings of those three references with the teachings of Lamielle.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: September 9, 2011

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